

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Trustee of the Painters Union Deposit Fund,

Plaintiff,

v.

Case No. 07-14445

E.L. Commercial Interiors, Inc., *et al.*,

Honorable Sean F. Cox

Defendants.

ORDER STAYING ACTION PURSUANT TO 11 U.S.C. §362

Plaintiff filed this action against Defendants on October 18, 2007. In a filing dated March 13, 2008, Plaintiff's counsel stated that Defendant E.L. Commercial Interiors, Inc. filed a Chapter 7 Bankruptcy Petition on December 28, 2007. At that time, however, Plaintiff's counsel indicated that he believed the case against Defendant Kurtis Nigro could still proceed. (*See* Docket Entry No. 8).

On March 24, 2008, the Court held a status conference with the parties, at which time Plaintiff's counsel asserted that the case against Defendant Nigro could still proceed, despite E.L. Commercial Interiors, Inc. having filed bankruptcy. Plaintiff's counsel indicated, however, that if Nigro also filed bankruptcy, the entire action would have to be stayed.

On March 25, 2008, this Court issued an Order to Show Cause that required the parties to show cause, in writing on or before April 21, 2008, why an automatic stay does not apply to this case.

On April 10, 2008, the parties filed "Joint Response to Show Cause Order Dated March 25, 2008." In that submission, the parties indicate that Defendant Nigro filed a chapter 7

bankruptcy case on April 1, 2008. The parties also state that because Defendant Nigro is the last remaining defendant in the case before the Court, it appears that an automatic stay imposed by 11 U.S.C. § 362 applies to this entire case.

Accordingly, IT IS ORDERED that this action is hereby STAYED pursuant to 11 U.S.C. §362.

IT IS SO ORDERED.

S/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: April 28, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on April 28, 2008, by electronic and/or ordinary mail.

S/Jennifer Hernandez
Case Manager